

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO ex rel.,  
State Engineer,

Plaintiff,

vs.

No. 69cv07941-BB-ACE  
RIO CHAMA STREAM SYSTEM  
Section 7

ROMAN ARAGON, et al.,

Defendants.

**REPLY TO THE RESPONSE TO THE**  
**MOTION TO SET ASIDE DEFAULT JUDGMENT**

COMES NOW Henry Coors for his Reply to the Response to the Motion to Set Aside Default Judgment states:

1. The issue in this case appears to be whether Mr. Coors received effective notice of the hearing which resulted in a default judgment on October 11, 2004.
2. As shown by the Affidavit of Henry Coors (attached as Exhibit A to the Response for Motion for Sanctions), Mr. Coors was traveling in a motor home during the time period in question and did not receive actual notice of the hearing. Mr. Coors contends that his failure to receive actual notice constitutes excusable neglect pursuant to Rule 60(b)(1) or alternatively, other good cause pursuant to Rule 60 (b)(6).
3. The relief sought by Mr. Coors is to set aside the default judgment so that he may proceed with the application for transfer of water rights before the State Engineer.

WHEREFORE, Coors prays that the Motion to Set Aside Default Judgment be granted and for such further relief as is just and proper.

WALTER L. REARDON, JR., P.A.

*Electronically filed*

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We hereby certify that a copy of the foregoing pleading was sent by the method(s) indicated below to the person(s) and indicated address(es) listed below on the 10<sup>th</sup> day of July, 2005. If by facsimile or email, the transmission was reported as complete and without error.

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